



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

March 3, 2023

BY ECF

The Honorable Sidney H. Stein
United States District Judges
Southern District of New York
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Bryan Duncan et al.*, 18 Cr. 289 (SHS) / *United States v. Reginald Dewitt*, 17 Cr. 633 (SHS)

Dear Judge Stein:

The Government respectfully submits this letter on behalf of the parties to request sentencing adjournments for defendants Peter Kalkanis, Kerry Gordon, and Reginald Dewitt (collectively, the "Defendants").

In separate charging instruments, the Defendants were charged with mail fraud, wire fraud, and conspiracy to commit mail and wire fraud, in connection with their participation in a trip-and-fall scheme (the "Scheme"). Kalkanis was also charged with aggravated identity theft in connection with the Scheme. The Defendants entered into guilty pleas pursuant to cooperation agreements with the Government. In or around May 2019, Kalkanis and Dewitt testified at trial in *United States v. Bryan Duncan et al.*, 18 Cr. 298 (SHS), in connection with their and other's role in the Scheme. In or around December 2022, Kalkanis and Gordon testified at trial in *United States v. George Constantine et al.*, 21 Cr. 530 (SHS), regarding the same.

On January 25, 2023, the Court adjourned the sentencing of George Constantine and Andrew Dowd to April 25, 2023.¹ Presently, Kalkanis and Gordon are set to be sentenced on April 18, 2023, and Dewitt is set to be sentenced on April 19, 2023. In light of the sentencing adjournment for Constantine and Dowd, the Government respectfully requests brief sentencing adjournments for Kalkanis, Gordon, and Dewitt to a date after April 25, 2023. With respect to Gordon, the Government respectfully requests a date in late May or thereafter to avoid any scheduling conflicts.

¹ Although the Court adjourned Constantine's and Dowd's sentencing date to April 25, 2023, the docket reflects the original March 21, 2023 sentencing date and corresponding sentencing submission deadlines. *United States v. George Constantine et al.*, 21 Cr. 530 (SHS), ECF note Dec. 16, 2022.

The Government has conferred with counsel for the Defendants who do not oppose this request.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

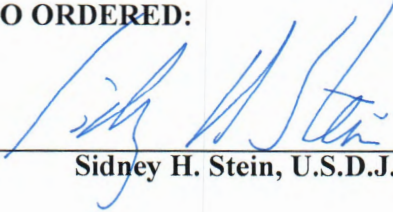
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The sentencing date for Kalkanis and Gordon is adjourned to May 2, 2023, at 2:30 and 3:30 respectively. The defense sentencing submission is due by April 11, the government submission is due by April 18, 2023. Dewitt's sentencing is adjourned to May 30, 2023, at 2:30 p.m. The defense submission is due by May 9, the government submission is due by May 16, 2023.

**Dated: New York, New York
March 6, 2023**

SO ORDERED:



Sidney H. Stein, U.S.D.J.